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March 2, 2005

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By:

Athena E. Pretory

PATENT

Customer No. 22,852

Attorney Docket No. 07414.0043-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BASKIN, Dale et al.

Application No.: 09/818,086

Filed: March 26, 2001

For: METHODS OF DETERMINING
THE PRESENCE OF
POLYNUCLEOTIDES
EMPLOYING AMPLIFICATION

Group Art Unit: 1637

Examiner: TUNG, Joyce

Confirmation No. 2844

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document listed on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed with a Request for Continued Examination (RCE).

A copy of the listed document is attached.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 2, 2005

By: *Danielle Pasqualone*
Danielle M. Pasqualone
Reg. No. 43,847

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	09/818,086
				<i>Filing Date</i>	March 26, 2001
				<i>First Named Inventor</i>	BASKIN, Dale
				<i>Art Unit</i>	1637
				<i>Examiner Name</i>	TUNG, Joyce
Sheet	1	of	1	<i>Attorney Docket Number</i>	07414.0043-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² <i>(if known)</i>			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ <i>(if known)</i>				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Hnatyszyn, H. J. et al., 2001, "The Use of Real-Time PCR and Fluorogenic Probes for Rapid and Accurate Genotyping of Newborn Mice," Molecular and Cellular Probes, 15:169-175 (PubMed Abstract (showing date of "2001 Jun") and Full-Text Article).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.